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FILED

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COURT OF APPEALS
DIVISION III
STATE OF WASHINGTON
By _____

No. 271234, consolidated with
271242, 271251, 271269, 271277

**COURT OF APPEALS, DIVISION III
OF THE STATE OF WASHINGTON**

KITTITAS COUNTY, a political subdivision of the State of
Washington, BUILDING INDUSTRY ASSOCIATION OF
WASHINGTON (BIAW), CENTRAL WASHINGTON HOME
BUILDERS (CWHBA), MITCHELL WILLIAMS, d/b/a MF
WILLIAMS CONSTRUCTION CO., TENAWAY RIDGE,
LLC, KITTITAS COUNTY FARM BUREAU, and SON VIDA
II,

Petitioners,

v.

KITTITAS COUNTY CONSERVATION, RIDGE,
FUTUREWISE, and EASTERN WASHINGTON GROWTH
MANAGEMENT HEARINGS BOARD,

Respondents.

**AMERICAN FOREST LAND COMPANY'S
OPENING BRIEF**

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ORIGINAL

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I. INTRODUCTION

Intervenor-Petitioner American Forest Land Company ("AFLC") respectfully submits this Opening Brief in the appeals of a Final Decision and Order of the Eastern Washington Growth Management Hearings Board ("Hearings Board") in Hearings Board Cause No. 07-1-0015. AFLC joins the arguments presented in the opening briefs of Kittitas County and the Building Industry Association of Washington ("BIAW"). In order to avoid presenting duplicative or redundant arguments, AFLC incorporates and adopts the arguments made by the County and BIAW as to why the County's development regulations fully comply with the Growth Management Act ("GMA").

II. ASSIGNMENTS OF ERROR

AFLC joins in the Assignments of Error set forth in the opening briefs of Kittitas County and BIAW.

III. STATEMENT OF THE CASE

AFLC joins in the Statements of the Case set forth in the opening briefs of Kittitas County and BIAW.

IV. ARGUMENT AND AUTHORITY

AFLC joins in the arguments made and the authorities relied on in the opening briefs of Kittitas County and BIAW.

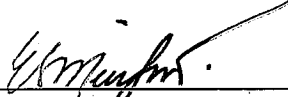
V. CONCLUSION

For the reasons presented in the opening briefs of Kittitas County and BIAW, AFLC requests that the Hearings Board's Final Decision and Order be reversed.

Respectfully submitted this 6th day of April, 2009.

PERKINS COIE LLP

By


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